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4   *E-FILED - 8/8/11*

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8   IN THE UNITED STATES DISTRICT COURT

9   FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11   UNITED STATES OF AMERICA,   NO. C-08-3072-RMW
                                           Related Criminal Case: CR-03-20110-RMW
12   Plaintiff/Respondent,
                                           ORDER RE DISQUALIFICATION
13   v.

14   THIN EDWARD SOU,

15   Defendant/Movant.

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17   At a status conference on June 27, 2011 the court *sua sponte* raised the question as to

18   whether the credibility of the prosecutor John Gang would be a central issue in the hearing on

19   defendant's § 2255 motion, and if so, whether the court should recuse itself given its familiarity with

20   Mr. Glang and trust in his basic integrity. Both parties indicated that Mr. Glang's credibility would

21   not be the critical focus of the hearing and that they did not want the undersigned to recuse himself.

22   Based upon the court's full disclosure of its concern, the parties' expressed belief that recusal was not

23   required or desired, and the court's understanding of the critical issues to be raised at the hearing on

24   the motion, the court at this time concludes that recusal is not necessary or appropriate.

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26   Dated: 8/8/11   _____
                                           RONALD M. WHYTE
27   United States District Judge

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ORDER RE DISQUALIFICATION
NO. C-08-03072, CR-03-20110-RMW   1

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Copy of order mailed electronically on 8/8/11 to:

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ORDER RE DISQUALIFICATION
NO. C-08-03072, CR-03-20110-RMW   2